DURHAM, NORTH CAROLINA MONDAY, MARCH 6, 2000 7:30 P.M.

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Absent: Council Member Langley.

Also present: City Manager P. Lamont Ewell, City Attorney Henry Blinder, City Clerk D. Ann Gray and Acting Deputy City Clerk Linda Bratcher.

Mayor Tennyson called the meeting to order and the following announcements were made.

Mayor Pro Tempore Clement acknowledged Father David McBriar and the Immaculate Conception Catholic Church for planning to raise \$3 million for a community center.

Council Member McKissick announced that there will be a meeting of the Adequate Public Facilities Task Force on Wednesday, March 8, 2000 at 3:30 p.m. in the Committee Room. Also, he thanked staff and others involved for putting together the recently held "Future Search" Conference addressing solid waste issues.

Council Member Blyth made comments on the conference and noted that she will be working with Council Member McKissick to prepare a brief report on the preliminary findings of the conference and that a detailed report will be prepared by Triangle J.

Mayor Pro Tempore Clement acknowledged that Habitat for Humanity recently dedicated its 100th home in Durham

Mayor Tennyson stated that several members of the City Council will be attending the National League of Cities Meeting (March 11-14, 2000).

The Mayor asked for priority items from the City Manager, City Attorney and City Clerk. Relative to Item #8 [Joint City/County Disparity Study] on the Consent Agenda, City Manager Ewell asked that Dr. Eleanor Ramsey from Mason Tillman Associates, Ltd. be given an opportunity for remarks.

Dr. Ramsey made comments stating that she is looking forward to working with the City on a joint project with the County to a perform a disparity study and gave an overview of the firm.

Council Member Blyth requested Mason Tillman Associates, Ltd. to address whether or not the City's policy resulted in more business being done out of the community.

Dr. Ramsey noted that one component of the study will identify where the City is spending its dollars and the number of contracts that are awarded within the City, as well as jurisdictions outside

the City.

There were no priority items from the City Attorney.

City Clerk D. Ann Gray informed Council of a written request by Dana Kelly asking that the protest petition filed against GBA #1 [Hope Valley Commons] be withdrawn.

Mayor Tennyson noted revisions to the Consent Agenda made at the Committee-of-the-Whole Meeting. Mayor Tennyson asked if any council member(s) or citizen(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting.

MOTION by Council Member Larson seconded by Council Member Jacobs to approve the Consent Agenda as amended was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

[CONSENT AGENDA]

SUBJECT: THE "BULLEVARD" IN DURHAM CENTRAL PARK

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a progress report on the "Bullevard" in Durham Central Park. was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: TRIANGLE TRANSIT AUTHORITY - APPOINTMENT

MOTION by Council Member Larson seconded by Council Member Jacobs to concur in the appointment of William V. Bell as City/County representative on the Triangle Transit Authority-term to expire November 30, 2001 was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: REVISION TO THE "LOCAL LAW ENFORCEMENT (COPS IN SCHOOLS) BLOCK GRANT" PROJECT ORDINANCE #11772

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt an amended grant project ordinance for the Local Law Enforcement (COPS in Schools) Block Grant was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and

Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: FEDERAL ASSET FORFEITURE FUND PROJECT AMENDMENT FY 1999/2000

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a "Grant Project Ordinance Amending Ordinance #11843, City of Durham and U.S. Department of Justice 'Federal Asset Forfeiture Funds' Project Ordinance FY 1999/2000" was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: UPDATE ON ECONOMIC DEVELOPMENT/REVITALIZATION EFFORTS IN CENTRAL AND EAST-CENTRAL DURHAM

MOTION by Council Member Larson seconded by Council Member Jacobs to receive an update on economic development/revitalization efforts in Central and East-Central Durham was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SUBMISSION OF FEDERAL AND STATE OPERATING AND CAPITAL ASSISTANCE GRANT APPLICATION

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a resolution approving the Federal Transit Administration Operating Program of Projects for the City of Durham, North Carolina; and

To adopt a resolution authorizing the filing of a grant application and execution of a grant agreement for Section 5307 funding with the Federal Transit Administration; and

To adopt a City of Durham and North Carolina Department of Transportation Section 5307 Planning and Capital Grant Resolution was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: DURHAM COMMUNITY SHELTER FOR H.O.P.E. - GRANT

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution by the City Council of the City of Durham Authorizing the Charge of \$10,000.00 to the Contingency Account of the General Fund and a Credit of \$10,000.00 to the Nondepartmental Account" to provide a one-time grant to the Durham Community Shelter for H.O.P.E. was approved at 7:45 p.m.

by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: JOINT CITY/COUNTY DISPARITY STUDY - MASON TILLMAN ASSOCIATES, LTD.

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a contract with Mason Tillman Associates, Ltd. in an amount not to exceed \$107,000 to perform the City's portion of a joint City/County Disparity Study; and

To adopt "An Ordinance Amending the 1999-2000 City of Durham Budget Ordinance, as Amended, the Same Being Ordinance #11771" was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND SERIES 2000A

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a report from the Department of Finance on the sale of Public Improvement Bond Series 2000A was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: STATUS REPORT/OVERVIEW ON THE CABLE TELEVISION RE-FRANCHISING PROCESS

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a status report/overview on the cable television re-franchising process was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SEVERE WEATHER POLICY

To receive a report from the Administration concerning a Severe Weather Policy.

MOTION by Council Member Larson seconded by Council Member Jacobs to remove this item from the agenda to be considered at a later date was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: WORLD MILITARY GAMES 2003

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize Mayor Tennyson to write a letter to CISM (Conseil International du Sport Militaire - International Military Sports Council) stating that the City of Durham supports the bid for the World Military Games 2003 (letter to include a statement that no financial commitment is made at this time) was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: CITIZENS ADVISORY COMMITTEE APPOINTMENTS

MOTION by Council Member Larson seconded by Council Member Jacobs to appoint Daryl K. Beasley, Marcia Anders, Georgia Strickland Parker, Vince Lee Parker, and Scott A. McGregor to the Citizens Advisory Committee for terms expire June 30, 2002 was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

Note: City Clerk directed to re-advertise for one additional vacancy.

SUBJECT: DURHAM HISTORIC PRESERVATION COMMISSION APPOINTMENTS

MOTION by Council Member Larson seconded by Council Member Jacobs to appoint Edwin Belk to represent **Architect** (term expires 9/1/2000), Roy Jack Moore to represent **Realtor/Developer** (term expires 9/1/2001) and Beth K. Mulvaney to represent **At-Large** (term expires 9/1/2001) to the Durham Historic Preservation Commission was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: RESOLUTION HONORING GARY HOCK

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution Honoring Gary Hock for his Generous Gift of \$25,000 to Needy Families at Christmas Time" was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: ADULT ESTABLISHMENT REGULATIONS

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a report from the Administration concerning adult establishment regulations; and

To forward the proposed changes to the Definitions to the Joint City/County Planning Committee for discussion at their April 2000 meeting; and

To set a **public hearing on Monday, March 20, 2000** to receive citizens' comments on the proposed changes to the separation requirements of the Adult Establishment Section of the Zoning Ordinance with advertisement for public hearing to include 1,000' and 1,500' separation distances from

a property line of a residential zone was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SITE PLAN/PRELIMINARY PLAT APPROVAL - AUBURN POD 3

MOTION by Council Member Larson seconded by Council Member Jacobs to approve a site plan/preliminary plat for Auburn Pod 3, submitted by the John R. McAdams Company on behalf of Torrey Homes, consisting of 117 townhomes on a ±13.94 acre site zoned PDR 5.37 and F/J-B, located on the east side of Barbee Road at the Windcrest Road Intersection, north of I-40. (Tax Maps 548-1-23 (partial and 521-1-1, 2, 3; PIN Numbers 0728-01-47-6683, 6784 and 6874 and 0728-02-67-3879) was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: RESOLUTION OF SUPPORT FOR RETAINING NATIONAL WATER EFFICIENCY STANDARDS FOR PLUMBING PRODUCTS

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution to Support Retaining the Existing National Water Efficiency Standards for Plumbing Products" was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: ELECTRICAL CONTRACT FOR THE SOLID WASTE FACILITY - NORINA ELECTRIC AND MECHANICAL COMPANY

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a contract with Norina Electric and Mechanical Company in the amount of \$276,000 for the electrical work for the Solid Waste Facility; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the exiting version of the contract was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: 2000 PARKS AND RECREATION TRUST FUND (PARTF) GRANT APPLICATION - SANDY CREEK ENVIRONMENTAL EDUCATION CENTER AND TRAIL

MOTION by Council Member Larson seconded by Council Member Jacobs to certify the 2000 Parks and Recreation Trust Fund Grant Application in the amount of \$250,000 for the Sandy Creek Environmental Education Center and Trail and retroactively approve the Mayor's execution of the application was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: CAPITAL PROJECT ORDINANCE SUPERSEDING ORDINANCE #11722 CONCERNING TWIN LAKES PARK EXPANSION

MOTION by Council Member Larson seconded by Council Member Jacobs to find that Twin Lakes Park is 100% necessitated by new construction and that up to 50% of the capital costs of that project may be paid by impact fees collected within the same service zone and collected for the same purpose; and

To adopt a "Capital Project Ordinance Superseding Ordinance #11722 Concerning Twin Lakes Park Expansion" was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: CITYWIDE STORM WATER INFRASTRUCTURE INVENTORY PROJECT CONTRACT AMENDMENT - HAYES, SEAY, MATTERN & MATTERN, INC.

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute Amendment #2 to the Agreement with Hayes, Seay, Mattern & Mattern, Inc. for the Citywide Storm Water Infrastructure Inventory Project was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: DEVELOPER REIMBURSEMENT FOR WATER MAIN UPGRADE - OLD

CHAPEL HILL ROAD

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the expenditure of \$59,568.00 from the water extensions and improvements account for reimbursement of the construction of the water main on Old Chapel Hill Road was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: LICENSE AGREEMENT BETWEEN NORFOLK SOUTHERN RAILWAY COMPANY AND THE CITY OF DURHAM - RED MILL ROAD

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a license agreement between Norfolk Southern Railway Company and the City of Durham concerning a 12-inch water line located wholly within the confines of Red Mill Road, at Milepost D-79, plus 4,210 feet (to be installed as a part of City of Durham Contract WS-74) was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SEWER EXTENSION AGREEMENT - MR. RALPH BULLOCK AND MR. VICTOR PARKER, JR. - 5808 LOYAL AVENUE

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Sewer Extension Agreement with Mr. Ralph Bullock and Mr. Victor Parker, Jr. to extend City sewer to a single family home at 5808 Loyal Avenue was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT - LAKE UNITY CORPORATION

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with Lake Unity Corporation to extend City water and sewer to serve Lake Unity, a 194 acre, 570 single family residential unit subdivision located west of Fletchers Chapel Road and south of Cheek Road was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: WATER AND SEWER EXTENSION AGREEMENT - ED ASSOCIATES, LLC - RIDGEWOOD II SUBDIVISION

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with Ed Associates, LLC to extend City water and sewer to serve Ridgewood II Subdivision, a proposed 108 acre, 303 single family unit subdivision located off the west side of north Mineral Springs Road was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SEWER EXTENSION AGREEMENT - STADIUM ASSOCIATES, LLC NORTH DUKE STREET OFFICES

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Sewer Extension Agreement with Stadium Associates, LLC to extend City sewer to serve North Duke Street Offices was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: CONTRACT SW-1, REVERE ROAD SIDEWALK - CCS GENERAL CONTRACTORS

MOTION by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a contract with CCS General Contractors in the amount of \$90,080.55 for Contract SW-1; and

To authorize the expenditure of up to \$115,000.00 from the New Sidewalk Construction Account was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: STATUS REPORT ON ENTRY WAY SIGNS

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a status report from the Administration concerning entry way signs and to authorize the Mayor to send a letter to Mr. David McCoy, Secretary of the North Carolina Department of Transportation and to meet with Mr. Eric C. Michaux, NCDOT Board Member, regarding placing the signs in State right of way was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: BID REPORT - NOVEMBER 1999

MOTION by Council Member Larson seconded by Council Member Jacobs to approve and record in the minutes bids and items which were acted upon by the City Manager during the month of November 1999 was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

CITY OF DURHAM NORTH CAROLINA

February 15, 2000

MEMO TO: P. Lamont Ewell

City Manager

THROUGH: John G. Pedersen, Jr.

Assistant City Manager

THROUGH: Navdeep S. Gill

Finance Director

THROUGH: Kenneth C. Pennoyer

Assistant Finance Director

FROM: Joseph W. Clark

Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of **November 1999**.

Apparatus, Supplies, Materials, Equipment, Construction, and Repairwork:

1. Bid: Garrett Road Conduit Installation

Purpose of Bid: To install conduit for the Project on Garrett Road between Old

Chapel Hill Road and US 15-501.

Comments: Interpath is providing the conduit and cable through their existing

innerducts.

Opened: October 26, 1999

Bidders: Interpath Communications, Inc. *\$28,060.00

RTP, NC

*Awarded based on: _____Low Bid X Other (See Comments)

WORKFORCE STATISTICS CORPORATION STATISTICS

Total Workforce	606		# Black Males	34	(05.61%)
Total # Females	200	(33.00%)	# White Males	352	(58.00%)
Total # Males	406	(67.00%)	# Other Males	18	(02.97%)
			# Black Females	25	(04.13%)
			# White Females	171	(28.22%)
			# Other Females	6	(00.99%)
Performance Bond	d:	_ Waived No	t Waived X Not Re	auired	

reformance bond. _____ warved _____ Not warved \(\begin{aligned} \blue{\alpha} \) Not kequited

The M/WBE Data Base was used in the solicitation of bids for this item.

2. Bid: Centerline Contract 5

Purpose of Bid: To provide roadmarking stripes on Fayetteville Rd between Riddle

Rd. and HWY 54.

Comments: This is an emergency project.

Opened: October 26, 1999

Bidders: Roadmark Corporation * \$62,240.25

Durham, NC

Clark Pavement Marking, Inc. \$81,166.60

Apex, NC

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Roadmark Corporation of Durham, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBE firms in the databank to provide this service.

The workforce statistics for Roadmark Corporation are as follows:

1999

Total Workforce	46	
Total # of Females	6	(13%)
Total # of Males	40	(87%)
Total # of Black Males	5	(11%)
Total # of White Males	8	(17%)
Total # of Other Males	27	(59%)

^{*}Awarded based on: X Low Bid _____ Other (See Comments)

Total # of Black Females 2 (4%) Total # of White Females 4 (9%) Total # of Other Females 0 (0%)

1998

Total Workforce 45 Total # of Females 6 (13%)(87%) Total # of Males 39 Total # of Black Males (13%)6 Total # of White Males 11 (24%)Total # of Other Males 22 (49%)Total # of Black Females 1 (2%)Total # of White Females 5 (11%)Total # of Other Females 0 (0%)

Performance Bond: _____ Waived ____ Not Waived X Not Required

3. Bid: Four (4) File Servers

Purpose of Bid: To provide the Technology Solutions Department with File Servers.

Comments: The City has standardized on the Dell brand of computer.

Opened: October 29, 1999

Bidders: Dell Computer Corporation

Round Rock, TX

*Awarded based on: _____ Low Bid X Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Dell Computer Corporation of Round Rock, Texas to determine compliance with the Minority and Women Business Enterprises Ordinance.

\$58,928.00

There are no M/WBE firms in the databank to provide this product.

The workforce statistics for Dell Computer Corporation are as follows:

1998

Total Workforce	14935	
Total # of Females	5128	(34%)
Total # of Males	9807	(66%)
Total # of Black Males	814	(5%)
Total # of White Males	6994	(47%)

Total # of Other Males	1999	(14%)
Total # of Black Females	627	(4%)
Total # of White Females	3343	(22%)
Total # of Other Females	1158	(8%)

1999

Total Workforce	20113	
Total # of Females	7105	(35%)
Total # of Males	13008	(65%)
Total # of Black Males	1209	(6%)
Total # of White Males	9076	(45%)
Total # of Other Males	2723	(14%)
Total # of Black Females	987	(5%)
Total # of White Females	4459	(22%)
Total # of Other Females	1659	(8%)

Performance Bond: X Waived _____ Not Waived _____ Not Required

4. Bid: Seventy-five (75) Dell Personal Computers

Purpose of Bid: To provide the MIS Department with personal computers

Comments: The personal computers will replace systems that are not Y2K

compliant. The City has standardized on the Dell brand of computer.

Opened: October 29, 1999

Bidders: Dell Computer Corporation

* \$97,275.00

Round Rock, TX

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Dell Computer Corporation of Round Rock, Texas to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms in the databank to provide this product.

The workforce statistics for Dell Computer Corporation are as follows:

1998

Total Workforce	14935	
Total # of Females	5128	(34%)
Total # of Males	9807	(66%)
Total # of Black Males	814	(5%)

^{*}Awarded based on: Low Bid X Other (See Comments)

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Total # of White Males	9076	(45%)
Total # of Other Males	2723	(14%)
Total # of Black Females	987	(5%)
Total # of White Females	4459	(22%)
Total # of Other Females	1659	(8%)

Performance Bond: X Waived _____ Not Waived _____ Not Required

5. Bid: One (1) Used 4 x 4 Utility Vehicle

Purpose of Bid: To provide the Police Department with a 4 x 4 Utility Vehicle

Comments: This is a 1999 program vehicle with less than 26,000 miles of usage.

Opened: November 1, 1999

Bidders: Rick Hendrick Chevrolet * \$29,120.00

Durham, NC

Ellington Brim Chevrolet \$29,127.00

Creedmoor, NC

Bobby Murray Chevrolet \$32,500.00

WORKFORCE STATISTICS CORPORATION STATISTICS

Total Workforce	91		# Black Males	12	(13.2%)
Total # Females	18	(19.8%)	# White Males	61	(67.0%)
Total # Males	73	(80.2%)	# Other Males	0	(0%)
			# Black Females	4	(4.4%)
			# White Females	14	(15.4%)
			# Other Females	0	(0%)

^{*}Awarded based on: X Low Bid _____ Other (See Comments)

Performance Bond: _____ Waived ____ Not Waived X Not Required The M/WBE Data Base was used in the solicitation of bids for this item. 6. Bid: **Estimated Annual Requirements for Automotive Fasteners** To provide the Fleet Maintenance division with automotive fasteners. Purpose of Bid: Comments: Opened: November 2, 1999 Bidders: Triangle Industrial Supply, Inc. *\$19,969,40 Oxford, NC Miller Industrial Supply, Inc. \$22,217.64 Raleigh, NC *Awarded based on: X Low Bid _____ Other (See Comments) **WORKFORCE STATISTICS** CORPORATION STATISTICS Total Workforce # Black Males 0 %) Total # Females (33.33%)# White Males (66.67%) 2 4 Total # Males 4 (66.67%)# Other Males 0 %) # Black Females %) # White Females 2 (33.33%)# Other Females %) Performance Bond: _____ Waived ____ Not Waived X Not Required 7. Bid: Purchase of the Payton CYVAC system in developing latent prints Purpose of Bid: To provide the Police Crime Lab with the CYVAC system to condition and polymerize latent prints. The CYVAC system is the latest technologyin developing latent fingerprints. Comments: Payton Scientific is the manufacturer and sole source of the CYVAC system. There are no other distributors or manufactures of this system. Opened: November 3, 1999 Bidders: Payton Scientific, Inc. * \$19,780.00

Buffalo, NY

*Awarded based on: _____ Low Bid X Other (See Comments) **WORKFORCE STATISTICS** CORPORATION STATISTICS Total Workforce 10 # Black Males 0 (0%)(40%)Total # Females # White Males (60%)4 6 Total # Males (60%)# Other Males (0%)0 # Black Females 0 (0%)(40%)# White Females 4 # Other Females (0%)0 Performance Bond: _____ Waived ____ Not Waived X Not Required The M/WBE Data Base was used in the solicitation of bids for this item. Bid: **Automated Meter Reading System** Purpose of Bid: To provide the Customer Billing Services division with a new Automated Meter Reading System. Comments: The purchase of this new system was necessary because the old system was not Y2K compliant. Opened: November 5, 1999 Bidders: **Radix Corporation** * \$42,156.11 North Huntington, PA Carolina Meter & Supply, Inc. \$80,056.00 Charlotte, NC *Awarded based on: X Low Bid _____ Other (See Comments) The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Radix Corporation of North Huntington, Pennsylvania to determine compliance with the Minority and Women Business Enterprises Ordinance. There are no M/WBE firms in the databank to provide this product. Contacts were also made with other entities that have M/WBE databanks The workforce statistics for Radix Corporation are as follows:

Total Workforce 143

Corporate 1999

8.

Total # of Females	48	(34%)
Total # of Males	95	(66%)
Total # of Black Males	1	(1%)
Total # of White Males	87	(61%)
Total # of Other Males	7	(5%)
Total # of Black Females	0	(0%)
Total # of White Females	42	(29%)
Total # of Other Females	6	(4%)

Location Performing on Contract 1999

Total Workforce	8	
Total # of Females	1	(12%)
Total # of Males	7	(88%)
Total # of Black Males	0	(0%)
Total # of White Males	7	(88%)
Total # of Other Males	0	(0%)
Total # of Black Females	0	(0%)
Total # of White Females	1	(12%)
Total # of Other Females	0	(0%)

Performance Bond: X Waived _____ Not Waived _____ Not Required

9. Bid: Janitorial Services at Environmental Resources

Purpose of Bid: To provide janitorial services for 12 months at the Environmental

Resources Facility at 1600 Mist Lake Drive.

Comments: The Living Wage Ordinance is a part of this bid.

Opened: November 8, 1999

Bidders: Staunton Sales *\$20,052.00

Durham, NC (\$1,671.00/month) Shaw & Garrison \$26,400.00

Durham, NC (\$2,200.00/month)

J A Farrington \$26,880.00

Durham, NC (\$2,240.00/month)

Al's Cleaning Service \$28,800.00

Durham, NC (\$2,400.00/month)

Mother & Daughter \$33,170.88

Durham, NC (\$2,764.24/month)

M & M Cleaning \$58,000.00

Durham, NC (\$4,833.00/month)

Genesis Cleaning \$64,725.01

Durham, NC (\$5,343.75/month)

*Awarded based on: X Low Bid _____ Other (See Comments)

The Equal Opportunity/Equity Assurance Department has reviewed the bid submitted by Staunton Sales, Inc. of Durham, NC to determine compliance with the Minority and Women business Enterprises Ordinance. M/WBE bids were not competitive.

The workforce statistics for Staunton Sales, Inc. are as follows:

Total Workforce	50	
Total Females	22	(44%)
Total Males	28	(56%)
Black Males	25	(52%)
White Males	3	(06%)
Other Males	0	
Black Females	19	(38%)
White Females	3	(04%)
Other Females	0	

Performance Bond: _____ Waived ____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

10. Bid: Underground Piercing Tools

Purpose of Bid: To provide the Water & Sewer Maintenance division with Underground Piercing Tools.

Comments: Bids were solicited from eight vendors and one response was received.

Opened: November 10, 1999

Bidders: TT Technologies, Inc. *\$14,575.00

Aurora, IL

*Awarded based on: Low Bid X Other (See Comments)

WORKFORCE STATISTICS CORPORATION STATISTICS

Total Workforce	48		# Black Males		(%)
Total # Females	3	(06.25%)	# White Males	45	(93.75%)
Total # Males	45	(93.75%)	# Other Males		(%)
			# Black Females		(%)

			# White Females # Other Females	3	(06.25%) (%)
		LOCATION OF PERFOR Columbia, Sout			
	Total Workfo Total # Fema Total # Males	les (%)	# Black Males # White Males # Other Males # Black Females # White Females # Other Females	2	(%) (100.00%) (%) (%) (%) (%)
	Performance	Bond: Waived N	lot Waived X Not Re	quired	
	The M/WBE	Data Base was used in the soli	citation of bids for thi	s item.	
11.	Bid:	Furnish and Spread Grav	el at the Transfer St	ation	
Transt	Purpose of Bifer Comments:	id: To provide soil stabilizat Station.	tion to the gravel park	ing areas	at the
	Opened:	November 10, 1999			
	Bidders:	Matt's Trucking, Inc. Roxboro, NC Washington & San Congreta		ŕ	900.00
		Washington & Son Concrete Chapel Hill, NC DV. Construction Company	fNC Inc		00.000
		DK Construction Company of Durham, NC	of NC, Inc.	ŕ	,000.00
		Greystone Contractors Durham, NC		\$ 33,	344.00
	*Awarded ba	sed on: X Low BidO	ther (See Comments)		
WORKFORCE STATISTICS CORPORATION STATISTICS					
	Total Workfo Total # Fema Total # Males	les 1 (16.67%)	# Black Males # White Males # Other Males # Black Females # White Females	1 4	(16.67%) (66.67%) (%) (%) (16.67%)

%) # Other Females (Performance Bond: _____ Waived ____ Not Waived X Not Required The M/WBE Data Base was used in the solicitation of bids for this item.

12. Bid: **One Used Utility Vehicle**

Purpose of Bid: To provide the Organized Crime Division of the Police Department

with a used utility vehicle.

Comments:

Opened: November 17, 1999

* \$29,101.00 Bidders: Cars Plus

Lenoir, NC

Bobby Murray Chevrolet \$31,500.00

Raleigh, NC

WORKFORCE STATISTICS CORPORATION STATISTICS

6		# Black Males	0	(0%)
0	(0%)	# White Males	6	(100%)
6	(100%)	# Other Males	0	(0%)
		# Black Females	0	(0%)
		# White Females	0	(0%)
		# Other Females	0	(0%)
	6 0 6	(/	0 (0%) # White Males 6 (100%) # Other Males # Black Females # White Females	0 (0%) # White Males 6 6 (100%) # Other Males 0 # Black Females 0 # White Females 0

Performance Bond: _____ Waived ____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

13. Bid: **Recycling Containers - Blue Curbside**

Purpose of Bid: To provide Environmental Resources/Recycling Division with recycling containers (3,000 each 18 gallon size @ 5.93 each)

Comments: AC Buckhorn does not meet specifications in gallon size and

bungee cord was not included.

Opened: November 18,1999

^{*}Awarded based on: X Low Bid _____ Other (See Comments)

Bidders: A C Buckhorn Canada, Inc. (non-responsive) \$ 7,440.00

Brampton, Ontario

Rehrig Pacific Company, Inc. *\$17,790.00

Lawrenceville, Georgia

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS CORPORATION STATISTICS

Total Workforce	548		# Black Males	29	(06.00%)
Total # Females	76	(14.00%)	# White Males	223	(42.00%)
Total # Males	462	(86.00%)	# Other Males	210	(39.00%)
			# Black Females	14	(03.00%)
			# White Females	50	(10.00%)
			# Other Females	12	(03.00%)

LOCATION OF PERFORMING CONTRACT Lawrenceville, Georgia

Total Workforce	23		# Black Males	1	(04.35%)
Total # Females	13	(56.52%)	# White Males	5	(21.74%)
Total # Males	10	(43.48%)	# Other Males	4	(17.39%)
			# Black Females	1	(04.35%)
			# White Females	11	(47.83%)
			# Other Females	1	(04.35%)

Performance Bond: _____ Waived ____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item. Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

JWC:lm

SUBJECT: BID REPORT - DECEMBER 1999

MOTION by Council Member Larson seconded by Council Member Jacobs to approve and record in the minutes bids and items which were acted upon by the City Manager during the month of December 1999 was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

CITY OF DURHAM NORTH CAROLINA

February 15, 2000

MEMO TO: P. Lamont Ewell

City Manager

THROUGH: John G. Pedersen, Jr.

Assistant City Manager

THROUGH: Navdeep S. Gill

Finance Director

THROUGH: Kenneth C. Pennoyer

Assistant Finance Director

FROM: Joseph W. Clark

Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of **December 1999**.

Apparatus, Supplies, Materials, Equipment, Construction, and Repairwork:

1. Bid: Surveys to Close Alleys in Walltown

Purpose of Bid: This is a professional services contract to provide surveying required

to prepare plats to close eight (18) public alleys in the Walltown area.

Comments: This is a negotiated contract for group one and four. All work must be

completed by April 30, 2000 to meet federal funding guidelines.

Opened: September 15, 1999

Bidders: Credle Engineering Company * \$18,000.00

Durham, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Credle Engineering Company of Durham, North Carolina to determine compliance with

the Minority and Women Business Enterprises Ordinance.

The workforce statistics for Credle Engineering Company are as follows:

Total Workforce	9	
Total # of Females	2	(22%)
Total # of Males	7	(78%)
Total # of Black Males	0	(0%)
Total # of White Males	7	(78%)
Total # of Other Males	0	(0%)
Total # of Black Females	0	(0%)
Total # of White Females	2	(22%)
Total # of Other Females	0	(0%)

Performance Bond: _____ Waived ____ Not Waived X Not Required

2. Bid: Surveys to Close Alleys in Walltown

Purpose of Bid: This is a professional services contract to provide surveying required

to prepare plats to close eight (18) public alleys in the Walltown area.

Comments: This is a negotiated contract for group two and three. All work must

be completed by April 30, 2000 to meet federal funding guidelines.

Opened: September 15, 1999

Bidders: McCarthy-Love * \$25,336.00

Durham, NC

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by McCarthy-Love of Durham, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

The workforce statistics for McCarthy-Love are as follows:

Total Workforce	6	
Total # of Females	3	(50%)
Total # of Males	3	(50%)
Total # of Black Males	1	(17%)
Total # of White Males	2	(33%)
Total # of Other Males	0	(0%)
Total # of Black Females	1	(17%)
Total # of White Females	2	(33%)

^{*}Awarded based on: Low Bid X Other (See Comments)

	Total # of Oth	ner Females	0	(0%)		
	Performance l	Bond:	Waiv	ved Not Waived X	Not Required	
3.	Bid:	Office Fu	ırnish	ings for City Hall 2 nd flo	or Renovations	
	Purpose of Bi	-		matching office furniture is of City Hall.	n the renovated area on the	!
	Comments:					
	Opened:	November	29, 19	999		
	Bidders:	Interior Res Greensbor		es & Design, Inc. C.	* \$59,792.15	
		MacThrift (Durham, 1	Office		\$69,808.00	
	*Awarded bas	sed on: X Lo	ow Bi	d Other (See Cor	nments)	
	Interior Resou	irces & Desi	gn of		iewed the bid submitted by mine compliance with the	7
	The workforc	e statistics fo	or Inte	erior Resources & Design	are as follows:	
	Total Workform Total # of Ferr Total # of Ma Total # of Bla Total # of Oth Total # of Bla Total # of Wh Total # of Oth	nales les lek Males lite Males ler Males lek Females lite Females	1	(100%) (0%) (0%) (0%) (0%) (50%) (50%) (0%)		
	Performance l	Bond: X Wa	ived .	Not Waived	Not Required	
4.	Bid:	Miscellar	ieous	Equipment for the New	Pilot Water Treatment P	lant
	Purpose of Bi	-		he Environmental Resour us Equipment for the New	ces Department with Pilot Water Treatment Pla	ınt
	Comments:		ss Equ	ipment is the manufacture	er and sole known source for	

Opened: November 29, 1999 Bidders: Burt Process Equipment, Inc. * \$63,500.00 Hamden, CT *Awarded based on: _____ Low Bid X Other (See Comments) The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Process Equipment, Inc., of Hamden, Connecticut to determine compliance with the Burt Minority and Women Business Enterprises Ordinance. There are no M/WBE firms in the databank to provide this product. The workforce statistics for Burt Process Equipment, Inc., are as follows: Total Workforce 65 Total # of Females (15%)10 Total # of Males 55 (85%)Total # of Black Males 4 (6%)Total # of White Males 46 (71%)Total # of Other Males 5 (8%)Total # of Black Females 1 (1%)Total # of White Females 8 (13%)Total # of Other Females 1 (1%)Performance Bond: X Waived _____ Not Waived _____ Not Required 5. Four Welcome To Durham Signs **Bid:** Purpose of Bid: Harlan Laws is the designer and manufacturer. Comments: November 29, 1999 Opened: Bidders: Harlan Laws Corporation of Durham, NC *\$46,090.00 Durham, NC *Awarded based on: _____ Low Bid X Other (See Comments) The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Harlan Laws Corporation of Durham, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBE firms in the databank to provide this product. Other entities were

given an opportunity to bid.

The workforce statistics for Harlan Laws Corporation of Durham, NC are as follows:

Total Workforce	75	
Total # of Females	11	(15%)
Total # of Males	64	(85%)
Total # of Black Males	7	(09%)
Total # of White Males	47	(63%)
Total # of Other Males	10	(13%)
Total # of Black Females	1	(02%)
Total # of White Females	8	(11%)
Total # of Other Females	1	(02%)

Performance Bond: _____ Waived ____ Not Waived X Not Required

6. Bid: 75 Dell Computers

Purpose of Bid: To provide the Information Solutions department with 75 Dell

computers.

Comments: The new personal computers will replace systems that are not Y2K

compliant. The City has standardized on the Dell brand of computer.

Opened: November 29, 1999

Bidders: Distinctive Business Machines, Inc. * \$99,975.00

Great Neck, NY

Dell Computer Corporation \$101,100.00

Round Rock, TX

Tiger Direct \$137,007.75

Morrisville, NC

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Distinctive Business Machines, Inc. of Great Neck, New York to determine compliance with the Minority and Women Business Enterprises Ordinance.

M/WBE firms were given an opportunity to bid.

The workforce statistics for Distinctive Business Machines, Inc., are as follows:

Total Workforce 20

Total # of Females 3 (15%) Total # of Males 17 (85%)

^{*}Awarded based on: X Low Bid _____ Other (See Comments)

Total # of Black Males 1 (5%)
Total # of White Males 15 (75%)
Total # of Other Males 1 (5%)
Total # of Black Females 0 (0%)
Total # of White Females 2 (10%)
Total # of Other Females 1 (5%)

Performance Bond: X Waived _____ Not Waived _____ Not Required

7. Bid: Hewlett Packard 1055 Plotter

Purpose of Bid: To provide the Information Solutions department with a plotter

Comments:

Opened: December 2, 1999

Bidders:	Distinctive Business Machines	*	\$10,398.00
	Great Neck, NY		
	Armilian Technologies, Inc.		\$10,425.00
	Cary, NC		
	Computability		\$10,564.00
	Milwaukee, WI		
	CADD Graphics		\$10,708.00
	Raleigh, NC		
	CompUSA, Inc.		\$10,722.00
	Dallas, TX		
	Southern Computer Supplies		\$10,745.85
	Marietta, GA		
	Matrix Data		\$10,822.18
	Cleveland, OH		
	Metro Direct Technologies		\$11,238.00
	Norcross, GA		
	Tiger Direct		\$11,444.81

^{*}Awarded based on: X Low Bid _____ Other (See Comments)

Morrisville, NC

WORKFORCE STATISTICS CORPORATION STATISTICS

Total Workforce	20		# Black Males	1	(5%)
Total # Females	3	(15%)	# White Males	15	(75%)
Total # Males	17	(85%)	# Other Males	1	(5%)

			# Black Females # White Females # Other Females	())
	Performance Bond:	Waived	Not Waived X Not Red	quired	
	The M/WBE Data I	Base was used in the s	olicitation of bids for this	s item.	
8.	Bid: Sev	wer Camera Equipm	ent		
	•	•	& Sewer Maintenance Dused in their operations.	ivision with sew	ver
		is a sole source purch sting camera and acce	ase, equipment must be ossories.	compatible with	
	Opened: Dece	ember 3, 1999			
		spector Corporation burn Hills, MI		* \$15,739.00	
	*Awarded based on	:Low Bid X	Other (See Comments)		
		WORKFORCE CORPORATION			
	Total # Females	10 2 (20%) 8 (80%)	# Black Males # White Males # Other Males # Black Females # White Females # Other Females	0 (0%) 8 (80%) 0 (0%) 0 (0%) 2 (20%) 0 (0%)	
	Performance Bond:	Waived	Not Waived X Not Red	quired	
	The M/WBE Data I	Base was used in the s	olicitation of bids for this	s item.	
9.	Bid: One	Used Vehicle for the	Police Department		
	Purpose of Bid:	To provide the Dor	mestic Violence division	with a used vehi	icle.
	Comments:				
	Opened: Dece	ember 6, 1999			

Bidders: University Ford *\$13,200.00 Durham, NC Capital Ford \$14,800.00 Raleigh, NC *Awarded based on: X Low Bid _____ Other (See Comments) **WORKFORCE STATISTICS** CORPORATION STATISTICS Total Workforce 139 # Black Males 27 (19.42%)Total # Females 24 # White Males 87 (17.27%)(62.59%)Total # Males 115 (82.73%) # Other Males 1 (00.72%)# Black Females 3 (02.16%)# White Females 21 (15.11%)# Other Females 0 %) Performance Bond: _____ Waived ____ Not Waived X Not Required The M/WBE Data Base was used in the solicitation of bids for this item. **10. Bid: Estimated Annual Requirements for Hydrofluosilicic Acid** Purpose of Bid: Comments: Hydrofluosilicic (HFS) is the final chemical added to treat water for the prevention of tooth decay. Opened: December 13, 1999 Bidders: Southchem, Inc. *\$29.380.00 Durham, NC (\$146.40/ton) Prillaman Chemical \$33,760.00 (\$168.80/ton) Suffolk, VA LCI, Ltd. \$34,172.00 Jacksonville Beach, FL (\$170.86/ton) *Awarded based on: X Low Bid _____ Other (See Comments) **WORKFORCE STATISTICS** CORPORATION STATISTICS Total Workforce 109 # Black Males 48 (44%)Total # Females 31 (28%)# White Males 29 (27%)

	Total # Males		78	(72%)	# Other Males # Black Females # White Females # Other Females	1 2 29 0	(1%) (2%) (27%)		
	Performance I	Bond: _	Wa	aived	Not Waived X Not Red	quired			
	The M/WBE I	Data Ba	ıse was ı	used in the so	olicitation of bids for this	s item.			
11.	Bid:	DAT	'A - Bus	Signs					
	Purpose of Bio Comments:	d: To	o provid	e DATA wit	h sign blanks and decals				
	Opened:	Decen	nber 17,	1999					
	Bidders: United Graphics, Inc.					*\$21,768.40			
		Fast S				\$25,276.00			
	Durham, NC Pannier Corporation/Graphics Division Gibsonia, PA (Non-responsive)					\$31,130.00			
	*Awarded bas	sed on:	X Low	Bid	Other (See Comments)				
					STATISTICS N STATISTICS				
	Total Workfor Total # Femal Total # Males	es 5		(56%) (44%)	# Black Males # White Males # Other Males # Black Females # White Females # Other Females	1 3 5	(56%)	%) %) %)	
	Performance Bond: Waived Not Waived X Not Required								
	The M/WBE I	Data Ba	ıse was ı	used in the so	olicitation of bids for this	s item.			
12.	Bid: Towing Service								
	Purpose of Bid: To provide the City with a contract for towin owned equipment and vehicles. Comments:					ng servic	e for Cit	y	

Opened: December 17, 1999 Bidders: Section I - Light Equipment and Vehicles John's Towing & Recovery *\$12,058.00 Durham, NC Lemon's Wrecker Services, LLC \$13,230.00 Durham, NC Section II - Heavy Equipment and Vehicles John's Towing & Recovery *\$11,844.00 Durham, NC *Awarded based on: X Low Bid _____ Other (See Comments) WORKFORCE STATISTICS CORPORATION STATISTICS Total Workforce 16 # Black Males 2 (12.5%)(75%) Total # Females 2 # White Males 12 (12.5%)Total # Males # Other Males 14 (87.5%) 0 %) # Black Females %) 0 # White Females 2 (12.5%)# Other Females %) Performance Bond: _____ Waived ____ Not Waived X Not Required The M/WBE Data Base was used in the solicitation of bids for this item. 13. Bid: Removal and disposal of existing carpet and the installation of new carpet in Utility Customer Services. Purpose of Bid: Comments: Opened: December 20, 1999 Bidders: **Elegant Interiors** *\$12,306.46 Durham, NC Interior Designer \$12,671.00 ALTERNATE BRAND \$13,562.00 Durham, NC **Proctor Flooring** \$13,935.00 Durham, NC

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS CORPORATION STATISTICS

Total Workforce	7		# Black Males	1	(15%))
Total # Females	1	(15%)	# White Males	7	(70%)	J
Total # Males	6	(85%)	# Other Males		(%)
			# Black Females		(%)
			# White Females	1	(15%)	ı
			# Other Females		(%)

Performance Bond: _____ Waived ____ Not Waived X Not Required

14. Bid: Miscellaneous Items for the Pilot Water Treatment Plant

Purpose of Bid: To provide the Environmental Resources Department with specialty

items for the Pilot Water Treatment Plant

Comments: This item was bid twice and only one response was received.

Opened: December 31, 1999

Bidders: Ozonia North America * \$28,930.00

Elmwood, NJ

*Awarded based on: Low Bid X Other (See Comments)

WORKFORCE STATISTICS CORPORATION STATISTICS

Total Workforce	39		# Black Males	1	(2.5%)
Total # Females	6	(15.4%)	# White Males	29	(74.3%)
Total # Males	33	(84.6%)	# Other Males	4	(10.2%)
			# Black Females	0	(0%)
			# White Females	6	(15.4%)
			# Other Females	0	(0%)

Performance Bond: _____ Waived ____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends

acceptance of the above bids denoted by an asterisk (*).

SUBJECT: BIDS - ESTIMATED ANNUAL REQUIREMENT FOR BIOXIDE (108,000 GALLONS) - U.S. FILTER/DAVIS PROCESS PRODUCTS

MOTION by Council Member Larson seconded by Council Member Jacobs to accept the bid from U. S. Filter/Davis Process Products in the amount of \$194,400 for furnishing the City with its estimated annual requirements for bioxide; and

To authorize the City Manager to enter into a contract with U.S. Filter/Davis Process Products in the amount of \$194,400 for furnishing the City with its estimated annual requirements for bioxide; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: BIDS - FRONT END LOADING REFUSE COLLECTION VEHICLE - CAROLINA ENVIRONMENTAL SYSTEMS, INC.

MOTION by Council Member Larson seconded by Council Member Jacobs to purchase an additional front end loading refuse collection vehicle from Carolina Environmental Systems, Inc., in the amount of \$151,098; and

To authorize the City Manager to enter into a contract with Carolina Environmental Systems, Inc. in the amount of \$151,098 for providing the City with a front end loading refuse collection vehicle; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: BIDS - SIDE LOADING REFUSE COLLECTION VEHICLE – LODAL SOUTH, INC.

MOTION by Council Member Larson seconded by Council Member Jacobs to accept the bid from Lodal South, Inc. in the amount of \$172,246 for providing the City with a side loading refuse collection vehicle; and

To authorize the City Manager to enter into a contract with Lodal South, Inc. in the amount of \$172,246 for providing the City with a side loading refuse collection vehicle; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: BIDS - MECHANICAL STREET SWEEPER - PIONEER MACHINERY, INC.

MOTION by Council Member Larson seconded by Council Member Jacobs to accept the bid from Pioneer Machinery, Inc. in the amount of \$119,215.20 for providing the City with a mechanical street sweeper; and

To authorize the City Manager to enter into a contract with Pioneer Machinery, Inc. in the amount of \$119,215.20 for providing the City with a mechanical street sweeper; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: BIDS - ESTIMATED ANNUAL REQUIREMENTS FOR METER COUPLING AND SETTING PARTS - MILLER SUPPLY CORPORATION

MOTION by Council Member Larson seconded by Council Member Jacobs to accept the bid from Miller Supply Corporation in the amount of \$103,614 for furnishing the City with its estimated annual requirements for meter coupling and setting parts; and

To authorize the City Manager to enter into a contract with Miller Supply Corporation in the amount of \$103,614 for furnishing the City with its estimated annual requirements for meter coupling and setting parts; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SETTING PUBLIC HEARINGS FOR CONFIRMATION OF CERTAIN ASSESSMENT ROLLS

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt resolutions setting **public hearings on Monday, March 20, 2000** for confirmation of the following assessment rolls:

- a. Curb, Gutter and Paving Richsand Street from Colewood Drive to Dewitt Street and Dewitt Street from Richsand Street north to end of street maintenance;
- b. Curb, Gutter and Paving Tuckawanna Avenue from Joyland Avenue to Adams Street;
- c. Curb, Gutter and Paving Reta Road from Winston Road to Duke Street; and
- d. **Curb, Gutter and Paving Edgevale Road** from Markham Avenue to Green Street (1200 Block).

was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SETTING PUBLIC HEARINGS TO CONSIDER ORDERING CERTAIN IMPROVEMENTS UNDER THE ENABLING ACT AUTHORITY

MOTION by Council Member Larson seconded by Council Member Jacobs to adopt resolutions setting **public hearings on Monday, March 20, 2000** to consider ordering the following improvements under the Enabling Act Authority:

- a. **Sewer Main South Alston Avenue** from south property line Tax Map 406-3-5 to north property line Tax Map 406-3-8;
- b. **Sidewalk Broad Street (East Side)** from Sprunt Avenue to Guess Road;
- c. **Sidewalk Guess Road (South Side)** from Broad Street to west property line Tax Map 285-3-2A.

was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SETTING PUBLIC HEARING TO CONSIDER ORDERING WATER MAIN

ON NORTH WILLOWHAVEN DRIVE FROM UMSTEAD ROAD TO RUSSELL ROAD

MOTION by Council Member Larson seconded by Council Member Jacobs to accept a Certificate of Sufficiency from the Manager of Engineering for the petition for water main on North Willowhaven Drive from Umstead Road to Russell Road; and

To a resolution setting a **public hearing on Monday, March 20, 2000** to consider ordering water main improvements on North Willowhaven Drive from Umstead Road to Russell Road was approved at 7:45 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

[GENERAL BUSINESS AGENDA]

[PUBLIC HEARINGS]

SUBJECT: ZONING MATTER <u>CASE</u>: P98-35 [HOPE VALLEY COMMONS] SOUTHEAST CORNER OF THE INTERSECTION OF NC 54 AND NC 751, YHG II, LLC

Applicant: YHG II, LLC

<u>Location</u>: 17.239 acre site located on the southeast corner of the intersection of NC 54 and NC 751, identified as Tax Map 427, Block 2, Parcels 2, 3, 4, 4A, 10, 12, 13, 14, and 17 through 20

Request: Rezoning from R-20 (Residential 20 District), NC (Neighborhood Commercial District) and NC(D) (Neighborhood Commercial District with Development Plan); F/J-B (Falls/Jordan Protected Area) to SC(D) (Shopping Center District with a Development Plan); F/J-B

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-20, NC and NC(D); F/J-B and placing same in and establishing same as SC(D); F/J-B.

Zoning Committee's Recommendation and Vote: Approval (6-1)

City/County Planning Department's Recommendation: Denial unless the applicant agrees to modify the development plan to include all changes requested by City Staff.

Note: A valid protest petition was filed against this rezoning. However, a written request was submitted by Dana Kelly requesting the petition be withdrawn.

Mayor Tennyson stated that this public hearing was continued from the previous meeting.

Dick Hails, of the City/County Planning Department, briefed Council on the staff's report noting that this development does conform to the Southwest Durham Plan and the 2020 Plan. Mr. Hails noted that staff recommends approval based on all the improvements requested in the staff report. Further, he noted the joint property owner expressed concern about the case and the valid protest petition filed against this case has been withdrawn.

The Mayor asked if the Council had any questions for the staff.

Mayor Tennyson opened the public hearing.

Proponents

Attorney Ken Spaulding, representing the applicant, spoke in support of the rezoning request noting all traffic conditions requested by staff have been met and agreed upon. He noted the developer has acquired an option on the property across the street and plans to take action on that piece of property to reserve the right-of-way and to deed that over to the City to construct the Garrett Road extension at a time the City is able to do so. He noted the developer plans to make a \$12 million investment in to this development. Attorney Spaulding informed Council that a notation regarding the extension and right-of-way will be added to the plan.

Mr. George Stanziale highlighted the pedestrian ways and project uses for the project. He noted they will be trying to attract specialty types of stores and restaurants. Also, he distributed a list of excluded uses for the Hope Valley Commons project.

Opponents

Mr. Jim McDonald, representing the Hope Valley Neighborhood Association, spoke in opposition to the request noting that it is saturated with retail development.

Mr. Steve Bocckino, of 7340 Abron Drive, spoke in opposition to the request indicating more retail would be a blight and not a blessing. He requested Council to wait 60 days until the new small area plan is adopted before considering this case.

Ms. Stella Adams, of 4128 Cobblestone Place, spoke in opposition to the case noting that her subdivision faces gridlock from traffic. She noted that opening up the new shopping center would run retail out of the Woodcroft Shopping Center.

Mr. Dale McKeel, of 3559 Hamstead Court, spoke in opposition to the case. He addressed two issues -- the preservation of vegetation and the 2020 Plan. He urged Council to pay special attention to the pedestrian needs of individuals crossing at NC 54 and NC 751.

Rebuttal

Attorney Ken Spaulding addressed the pedestrian issue. He indicated that the developer has agreed to provide pedestrian signalization at NC 54 if requested by NCDOT and a bus shelter will be

provided on the property if DATA so desires. Attorney Spaulding discussed the Garrett Road extension. He noted that the applicant has volunteered the property that is across the street. This project will allow the Garrett Road extension to become a reality and will increase tax revenue.

Dick Hails, of the City/County Planning Department, acknowledged receipt of a drawing showing the modification of the internal circulation, which meets the administration's request to provide access to the adjacent property, and a list of restricted uses on the site.

Council Member Blyth asked staff for clarification on previous developments. She asked if the staff recommended the Eckerd development.

Dick Hails replied that the development on the south west corner of Hwy. 54 and 751 was not recommended because the Southwest Durham Plan and the Future Land Use Map showed office use at that south west corner.

Council Member Blyth asked if staff recommended approval of the drug store at the corner of Garrett Road and Hope Valley Road.

Dick Hails, of the City/County Planning Department, replied that when the case initially came to City Council, staff was not in favor of recommending the commercial portion of that project. He noted that Council had a long discussion about the land use. Mr. Hails stated that Council felt comfortable supporting commercial if the rest of the site was modified in specific ways such as, neighborhood commercial instead of general commercial. He noted that six or eight weeks later, a modified request came back to Council and Council supported that.

Council Member Blyth asked staff if they asked any of the previous developers to participate in creating or building the Garrett Road extension.

Earl Lewellyn, of the Transportation Division, replied no.

Council Member Blyth stated that she would like to have seen all three developers participate in infrastructure improvements.

A motion was made by Council Member Larson to approve the rezoning request as printed on the agenda. This motion was seconded by Mayor Pro Tempore Clement.

A substitute motion was made by Council Member Blyth requesting that this public hearing be continued until the March 20, 2000 City Council Meeting allowing the City Manager and staff to work with other developers in the area by asking them to participate in the infrastructure improvements. Motion fails for lack of a second.

Council Member McKissick asked if the architectural drawings were a part of the development proposal.

George Stanziale stated these drawings were submitted as part of the application and will remain a

part of the development plan.

Council Member McKissick had concerns regarding the small area plans, traffic, and the development being too commercial. He stated that he would like for the developer to come back with a mixed-use plan or some alternative use for this property.

Council Member Hill asked the staff if the recommendation is to deny the project unless the seven conditions are met.

Dick Hails, of the City/County Planning Department, replied that staff recommends denial on the project unless all requested improvements are agreed to by the applicant.

Council Member Hill asked staff if the Garrett Road extension needs to be built, whether or not this development is approved.

Earl Lewellyn, of the Transportation Division, replied the Garrett Road extension will certainly need to be built to handle the expected growth in the area.

Council Member Hill asked what would it cost the City of Durham to buy the land.

Attorney Spaulding replied it is estimated around \$250,000.00.

Council Member Larson asked the developer if the rezoning was approved what would be the estimated time for completion of this project.

Attorney Spaulding replied between a year-and- a-half and 18 months or so.

Council Member Larson asked for clarification on a statement made earlier by Attorney Spaulding concerning the pedestrian crossing. He stated to Attorney Spaulding you mentioned if NCDOT requested it, the developer would built it. Council Member Larson noted that he hoped that the developer would submit a proposal for the pedestrian crossing for approval by NCDOT.

Attorney Spaulding stated that is correct; if NCDOT allows it.

Council Member Cheek asked staff if the Garrett Road extension is constructed, does staff believe that the construction of that extension will be sufficient to take care of the increase in traffic in the area as a result of others things that have already been done, and the increase number of trips generated by this project.

Earl Lewellyn, of the Transportation Division, replied yes. He noted that based on the analysis, it would operate at an acceptable level of service with no queuing problems for eight to ten years.

Council Member Jacobs asked if the land would be deeded to the City for the Garrett Road extension.

Attorney Ken Spaulding replied yes. He noted that all the right-of-way that is necessary for the lane as well as the Garrett Road extension as outlined on the drawing in brown and orange will be deeded over to the City of Durham.

Attorney Henry Blinder noted for clarification that the developer is talking about a dedication to the City of the right-of-way as opposed to a deed.

Attorney Ken Spaulding replied yes it would be a dedication.

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-20, NC and NC(D); F/J-B and placing same in and establishing same as SC(D); F/J-B was approved at 8:51 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Burnette, Cheek, Hill, Jacobs, Larson, Stith and Wagstaff. Noes: Council Members Blyth, Edwards and McKissick. Absent: Council Member Langley.

SUBJECT: T99-5, MAJOR SPECIAL USE PERMIT FOR TRAFFIC IMPACT ANALYSIS - SUTTON STATION

Recommendation: Hold the public hearing on Monday, March 6, 2000 and evaluate the evidence presented. The Planning staff will make a recommendation after the hearing of this case. After the hearing, one of these two motions is in order:

Motion A: (Approval With or Without Conditions) - To direct the Planning Director to prepare a decision granting with conditions the Use Permit in Case T99-5. (Council should identify any conditions they wish to incorporate into their approval. Staff will prepare the decision for Council's action.)

Motion B: (**Disapproval**) - To direct the Planning Director to prepare a decision denying the Use Permit in Case T99-5 (Council should identify the findings they are unable to make so these can be incorporated into the decision. Staff will prepare the decision for Council's next meeting for action.)

City Clerk D. Ann Gray swore in the following individuals: Helen Youngblood, Earl Lewellyn, Jack Markham, Al Williford and Ron Horvath.

Mayor Tennyson explained the proceedings for a major special use permit hearing.

The Mayor asked Council to reveal any possible conflicts and to withdraw from this hearing if necessary. Also, Mayor Tennyson asked if any Council Member had been exposed to any evidence or information that may not come out at the hearing tonight.

Jack Markham identified himself as the Attorney for Ticon, Inc.

Mayor Tennyson opened the public hearing.

Testimony from Staff

Steve Medlin, of the City/County Planning Department, briefed the Council on the staff report and requested staff report be admitted as evidence.

The Mayor asked if there were questions for staff.

There were no questions.

Earl Lewellyn, of the Transportation Division, briefed the Council on the traffic impact analysis and the

findings.

The Mayor asked if there were questions for staff.

Jack Markham, representing the applicant, asked if the traffic impact analysis had been admitted as part of the staff report.

Earl Lewellyn submitted the traffic impact analysis for the record.

The Mayor asked Mr. Markham if he had any objections.

There were no objections.

Testimony from Applicant

Jack Markham, representing the applicant, spoke in support of the request. He identified Ron Horvath and Al Williford as expert witnesses who will speak on behalf of Ticon.

Ron Horvath, representing the applicant, spoke in support of the project. He stated he met with several surrounding neighborhood leaders and found support from them for the project. He submitted an exhibit (Flying Fotos of Sutton Station) and a site plan as evidence for the record.

The Mayor asked if there were any objections to the submittal of evidence.

There were no objections.

Mayor Tennyson asked if there were any questions.

Al Williford, representing the applicant, informed Council that he prepared the traffic analysis for the project. He noted this project has no immediate and direct impact on residential streets and that all the findings that will be required will be met.

Mayor Tennyson asked if there were any questions.

Jack Markham, representing the applicant, noted testimony was presented from Mr. Horvath and Mr. Williford in support of the major special use permit for traffic. He noted this development is in line with the small area plan and the 2020 Plan.

The Mayor asked if there were questions.

Staff Recommendation

Steve Medlin, of the City/County Planning Department, noted the staff recommends approval.

Council Member Blyth stated that she will not be supporting this item.

MOTION by Mayor Pro Tempore Clement seconded by Council Member McKissick to approve An Order Granting, Upon Certain Conditions, A Major Special Use Permit for Traffic Impact in Case T99-5 [Sutton Station] was approved at 9:09 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Council Member Blyth. Absent: Council Member Langley.

[OTHER MATTERS]

SUBJECT: SWEATSHOPS

To receive a report from the Administration.

To refer to the Legislative Committee to request legislation from the State to allow consideration of additional issues, such as sweatshop working conditions, in the bid evaluation and award process for the City of Durham.

The following individuals spoke in support of this item: Theresa El-Amin, David McBriar, Paul Ortiz, Casey Harrell, Walter Weathers and Armando Corbafal.

Theresa El-Amin submitted a written statement from Nathanette Mayo and a petition signed by individuals to the City Clerk in support of this item.

MOTION by Council Member Larson seconded by Council Member Jacobs to receive a report from the Administration; and

To refer to the Legislative Committee to request legislation from the State to allow consideration of additional issues, such as sweatshop working conditions, in the bid evaluation and award process for the City of Durham was approved at 9:29 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs,

Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: PERSONNEL COMMITTEE OF COUNCIL

MOTION by Mayor Pro Tempore Clement seconded by Council Member Stith to discuss and approve the recommendations to be included as a part of upcoming revisions to the City Council Procedures was approved at 9:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: SITE PLAN APPROVAL - SUTTON STATION

MOTION by Mayor Pro Tempore Clement seconded by Council Member Stith to approve a site plan for Sutton Station, submitted by RL Horvath Associates, Inc., consisting of a 168,840 square foot office, retail and apartment project on 16.09 acres, zoned O&I-2 and F/J-B, located on the west side of Fayetteville Road, south of Woodcroft Parkway, north of N.C. 54 and Crooked Creek Parkway (Tax Map 522-02-003); PIN Number 0729-03-00-7100 was approved at 9:31 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

SUBJECT: DATA - WEST BROTHERS TRANSFER AND STORAGE, HAULING AND STORAGE DIVISION, INC.

Transit Administrator Steve Mancuso made a brief presentation on the DATA Grant Approval Process and LONP.

Council Member McKissick spoke in opposition to the Sub-Lease Agreement. He noted that the City needed to see a full proposal from Capitol Broadcasting and needed to know if the County would be providing funding for this project.

A motion was made by Council Member Larson seconded by Mayor Pro Tempore Clement to approve the item as printed on the agenda.

A substitute motion was made by Council Member McKissick to delay the sub-lease agreement for 60 days. Motion fails for lack of a second.

Council Member McKissick asked that the motion be severed.

a. Temporary DATA Location

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to authorize the

temporary relocation of the DATA operation in the absence of a Letter of No Prejudice and grant approval was approved at 9:51 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Absent: Council Member Langley.

b. Sub-Lease Agreement

MOTION by Council Member Larson seconded by Mayor Pro Tempore Clement to authorize the City Manager to execute a Sub-Lease Agreement and a Memorandum of Lease with West Brothers Transfer and Storage, Hauling and Storage Division, Inc., for the temporary relocation of the DATA operation; and

To authorize the City Manager to make such changes to the Sub-Lease Agreement as he deems appropriate provided the changes do not increase the rental payments by the City or substantially change the intent and purpose of the Lease was approved at 9:51 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, Stith and Wagstaff. Noes: Council Member McKissick. Absent: Council Member Langley.

[ITEM(S) PULLED FROM CONSENT]

SUBJECT: TREE REMOVAL - 1207 WORTH STREET

Council Member Blyth stated that she would be voting against this item. She noted that removing the tree would be a short-term solution; therefore, she would like to see the property condemned.

MOTION by Council Member Larson seconded by Council Member Stith to seek approval from the owner for removal of the tree at 1207 Worth Street and to carry out removal of the tree at the City's expense was approved at 9:54 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Council Member Blyth. Absent: Council Member Langley.

There being no further business to come before the Council, the meeting was adjourned at 9:54 p.m.

D. Ann Gray, CMC City Clerk